

# DRAFT

## FORM 2

### FURTHER INFORMATION REQUIRED FOR APPLICATIONS FOR GUIDANCE UNDER SECTIONS 43 OR 50 OR FOR DECISION UNDER SECTIONS 44 OR 51 OF THE COMPETITION ACT (CHAPTER 50B)

#### PART 1 INTRODUCTION

This document lists the further information (and supporting documents) which may be required by the Commission after Form 1 has been filed.

If the Applicant(s) considers that the Commission should treat any part of the information submitted under this Form as confidential, the Applicant must provide both a confidential version of this Form, as well as a non-confidential version of this Form with that item of information deemed confidential removed and replaced by square brackets containing the word "CONFIDENTIAL". The non-confidential version should also contain an annex marked "confidential information" identifying each item of information which has been removed from the confidential version and providing a written explanation as to why the information should be treated as confidential. The same treatment should also be extended to supporting documents accompanying this Form containing any information that the Applicant considers should be treated as confidential.

#### NOTES:

- a. In completing this form, applicants are encouraged to refer to the principles outlined in the relevant paragraphs of the *CCS Guidelines on the Section 34 Prohibition*, the *CCS Guidelines on the Section 47 Prohibition*, the *CCS Guidelines on Filing Notification for Guidance or Decision with respect to the Section 34 Prohibition and Section 47 Prohibition* and the *CCS Guidelines on Market Definition*, where applicable.
- b. Please ensure that all answers are concise and where relevant, supported by reasons, evidence (where possible from independent sources) and pertinent examples.

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### **FORM 2**

#### **PART 2**

### **FURTHER INFORMATION TO BE PROVIDED BY THE UNDERTAKING(S) MAKING THE APPLICATION**

#### **The Relevant Product and Geographic Market(s)**

1. For each of the affected products or services identified in question 7 of Form 1 Part 2,
  - a. give a brief description of the characteristics and intended use;
  - b. state where it is produced;
  - c. state to which customer group it is supplied;
  - d. identify any goods or services that might reasonably be considered as close substitutes on the demand-side (that is, substitutes from the customer's perspective);
    - i. explain the reason(s) why each good or service is considered to be a close substitute;
    - ii. state the price differential (if any) between the substitutes and the affected products or services; and
    - iii. indicate whether any of the substitutes are imported into Singapore and if so, from which country.
  - e. identify any goods or services that might reasonably be considered as close substitutes on the supply-side (that is, substitutes from a supplier's perspective);
    - i. explain the reason(s) for the supply-side substitutability, namely, how suppliers can switch to supplying the affected products or services quickly and easily with little cost;
  - f. provide details of:
    - i. how far customers are willing to travel to purchase the affected products or services (for example, locally, nationally, regionally);
    - ii. how far suppliers are willing to supply the affected products or services (for example, locally, nationally, regionally);

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- g. provide details of the time, cost and resources required to move to a different part of the supply chain, for example, a distributor moving to retail or manufacturer moving to retail activities; and
    - h. describe any differences in supplying different types of customers.
2. For each of the relevant product and geographic market(s) identified in question 8 in Form 1 Part 2, please provide the following data for the last three years:
  - a. Total market size (value and volume);
  - b. Market share estimates (value and volume) for each of the parties (and any affiliated or connected undertaking) to the agreement and/or conduct; and
  - c. Market share estimates (value and volume of competitors)

For (a-c), please explain any significant year-on-year variations.

3. If the geographic market identified in question 8(b) of Form 1 Part 2 is wider than Singapore, please provide the following data for the last three years in Singapore:
    - a. An estimate of the total value and volume of goods or services; and
    - b. Market share estimates (value and volume) for each of the parties to the agreement or conduct and their competitors.

For (a-b), please explain any significant year-on-year variations.

4. Please identify the undertakings belonging to the same group (within the meaning of question 10 in Form 1 Part 2) as the parties to the agreement or conduct which are active in the relevant product market(s) identified in question 8 in Form 1 Part 2 and those active in products and/or services which are regarded as imperfect and partial substitutes for those products. Please provide the name, place of incorporation, exact product manufactured and the geographic scope of operation of each member of the group.

### **Barriers to Entry**

5. For each of the relevant product and geographic market(s) identified in question 8 of Form 1 Part 2, give an estimate of the capital expenditure and time required to enter the relevant market(s) identified on a scale necessary to gain a five per cent market share, both as a new entrant, and as a company that already has the necessary technology and expertise,

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- and estimate to what extent this cost is recoverable should the firm decide to exit the market.
6. Give an estimate of the scale of annual expenditure on advertising/promotion relative to sales required to achieve a market share of five percent.
  7. With specific reference to Singapore, provide details of any other factors affecting entry, for example, planning restraints, technology, R&D requirements, regulatory barriers, import restrictions (tariffs, licensing, quarantine), IP rights, availability of raw materials, length of contracts, etc.
  8. Give details of instances of market entry and exit in the past five years.
  9. Identify any companies that would be in a position to enter the relevant market(s) identified in the response to question 8 of Form 1 Part 2 in a manner that would be sufficiently timely and likely and of such scope as to adequately constrain the parties to the agreement or conduct.

### Competitors

10. With specific reference to Singapore, for each of the relevant markets identified in question 8 of Form 1 Part 2:
  - a. Identify the five largest competitors of each party to the agreement or conduct which is the subject of the application, providing each competitor's name, address, telephone and fax numbers, and, where possible, a contact name;
  - b. For the competitors identified in question 10a, give the best estimates of their market shares in the goods or services;
  - c. Describe the nature of competition (for example, do firms compete on price quality, innovation, tender process);
  - d. Describe the cost and the time it takes for a customer to switch between suppliers;
  - e. Describe and name any local or overseas firms that are not currently providing goods or services in Singapore, but which could do so relatively quickly on a material scale;
  - f. Describe the ability of actual or potential competitors to expand or utilise existing productive capacity; and any other material factors;
  - g. Provide details of any shareholding, agreement, or joint ventures with existing competitors that may affect Singapore; and

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- h. For the competitors identified in question 10g, please provide the best estimates of their market shares in the goods or services.
11. For bidding markets only, in respect of the relevant market(s), give details:
- a. Of any bids made by each party to the agreement in the last five years; and
  - b. The outcomes of those bids (for example, whether the bids were won or lost) and the reasons why, if known).

### Countervailing buyer power

12. With specific reference to Singapore, for each of the relevant markets identified in question 8 of Form 1 Part 2:
- a. Identify the five main customers of each party to the agreement or conduct which is the subject of the application, in the relevant product and geographic market(s), giving the customer's name, address, telephone and fax numbers, and, where possible, a contact name.
  - b. To what extent, and why, would each party to the agreement or conduct (and if applicable, the parties to the agreement as a collective entity) be constrained by the conduct of buyers following the implementation of the agreement or conduct.

### Exclusions

*Vertical Effects (To be completed if there is (potentially) a vertical relationship amongst the parties to the agreement or conduct)*

13. Describe any vertical relationship(s) between the parties before and after the agreement or conduct, including the following information:
- a. the extent of vertical integration before the agreement or conduct; and how this is created or strengthened by the agreement or conduct; and
  - b. any existing supply arrangements amongst the parties to the agreement or conduct.
14. For the competitors identified in question 10, provide details on the extent to which they are vertically integrated.

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### *Net Economic Benefits*

15. If the agreement or conduct has net economic benefits that would not be achieved except for the agreement:
  - a. Describe how the agreement or conduct contributes to improving production or distribution, or promotes technical or economic progress. In addition, please explain:
    - i. How the claimed efficiencies are achieved;
    - ii. A direct causal link between the agreement and the claimed efficiencies; and
    - iii. The value of the claimed efficiencies and how it outweighs the anti-competitive effects of the agreement.
  - b. Explain whether the agreement or conduct, and the individual restrictions of the agreement or conduct are indispensable to attaining the efficiencies described above in paragraph 15a. In addition, please explain:
    - i. If there are other means of achieving the claimed efficiencies;
    - ii. If there are economically practical and less restrictive means of achieving the claimed efficiencies than the agreement/conduct notified; and
    - iii. If more efficiencies are produced with the agreement/conduct notified in place than its absence.

### **SUPPORTING DOCUMENTS**

Please ensure that the Applicant(s) has attached the following documents (where relevant to the application):

16. All relevant documents to support the claims made in this Form 2.
17. Source or sources of the information should also be given and one copy should be provided of any document, where available, from which information has been taken.
18. Where documents submitted are not in the English language, they should be accompanied by a translation certified by a court interpreter or a translation verified by the affidavit of a qualified translator.

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## **PART 2A: DECLARATION**

Under section 77 read with section 83 of the Act, it is an offence, punishable by a fine or imprisonment or both to provide information which is false or misleading in a material particular if the undertaking or person providing it knows that it is false or misleading, or is reckless as to whether it is. If the undertaking or person is a body corporate, its officers may be guilty of an offence under section 81 of the Act.

### **Declaration**

The undersigned declare and confirm that all information given in the Form 2 and all pages annexed hereto are correct to the best of their knowledge and belief, and that all estimates are identified as such and are their best estimates based on the underlying facts.

Signature(s)

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Name(s) as in NRIC or Passport (in block capitals):

Company Name and Designation(s):

Date:

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**PART 3  
ACKNOWLEDGEMENT OF RECEIPT**

This acknowledgement of receipt will be returned to the address inserted below if the Applicant(s) provides the information requested below.

*To be completed by the Applicant(s)*

To: (name and address of Applicant(s))

Re: The application dated (date of application) concerning (brief description of subject matter) involving the following undertakings: (names of undertakings) [and others]

*To be completed by the Commission*

Received on:

Registered under reference number:

**Please quote this reference number in all correspondence with the Commission.**

S/No.	Para.	Removed information/questions	Para.	Added information/questions
1.	Introduction	If the Applicant(s) considers that the Commission should treat any item of information submitted under this Form as confidential, the Applicant must provide a non-confidential version of this Form with that item of information removed. The non-confidential version should also contain an annex marked "confidential information" identifying each item of information which has been removed from the non-confidential version and providing a written explanation as to why the information should be treated as confidential. The same treatment should also be extended to supporting documents accompanying this Form containing any information that the Applicant considers should be treated as confidential.	Introduction	If the Applicant(s) considers that the Commission should treat any part of the information submitted under this Form as confidential, the Applicant must provide both a non-confidential version of this Form, as well as a non-confidential version of this Form with that item of information deemed confidential removed and replaced by square brackets containing the word "CONFIDENTIAL". The non-confidential version should also contain an annex marked "confidential information" identifying each item of information which has been removed from the confidential version and providing a written explanation as to why the information should be treated as confidential. The same treatment should also be extended to supporting documents accompanying this Form containing any information that the Applicant considers should be treated as confidential.
2.	1.1	Please supply and explain the definition of the relevant product market(s) which in the Applicant(s)'s opinion should form the basis of the analysis of the application. State the specific products or services directly or indirectly affected by the agreement or conduct which is the subject of the application and other goods or services that may be viewed as substitutable. Give reasons for all assumptions or findings	1d and e	For each of the affected products or services identified above, d. identify any goods or services that might reasonably be considered as close substitutes on the demand-side (that is, substitutes from the customer's perspective); i. explain the reason(s) why each good or service is considered to be a close substitute; ii. state the price differential (if any) between the substitutes and the affected products or services; iii. indicate whether any of the substitutes are imported into Singapore and if so, from which country. e. identify any goods or services that might reasonably be considered as close substitutes on the supply-side (that is, substitutes from a supplier's perspective); i. explain the reason(s) for the supply-side substitutability, namely, how suppliers can switch to supplying the affected products or services quickly and easily with little cost;

3.	1.2	Please supply and explain the definition of the relevant geographic market(s) which in the Applicant(s)'s opinion should form the basis of the analysis of the application. Please identify the geographic scope of the relevant market(s), with reasons. Give reasons for all assumptions or findings.	-	Removed
4.	1.3	For each of the relevant product and geographic market(s) identified in 1.1 and 1.2, give details (where applicable) of, <ul style="list-style-type: none"> <li>• the estimates of the market shares of the 5 largest undertakings in the market, as well as of the Applicant;</li> </ul>	2	For each of the relevant product and geographic market(s) identified in question 3, please provide the following data for the last three years: <ol style="list-style-type: none"> <li>a. Total market size (value and volume);</li> <li>b. Market share estimates (value and volume) for each of the party(and any affiliated or connected undertaking) to the agreement and/or conduct; and</li> <li>c. Market share estimates (value and volume of competitors)</li> </ol> For (a-c), please explain any significant year-on-year variations.
5.	1.3	For each of the relevant product and geographic market(s) identified in 1.1 and 1.2, give details (where applicable) of, <ul style="list-style-type: none"> <li>• the nature and extent of vertical integration;</li> </ul>	13 and 14	(To be completed if there is (potentially) a vertical relationship amongst the parties to the agreement or conduct) <ol style="list-style-type: none"> <li>13. Describe any vertical relationship(s) between the parties before and after the agreement or conduct, including the following information: <ol style="list-style-type: none"> <li>a. the extent of vertical integration before the agreement or conduct; and how this is created or strengthened by the agreement or conduct; and</li> <li>b. any existing supply arrangements amongst the parties to the agreement or conduct.</li> </ol> </li> <li>14. For the competitors identified in question 10, provide details on the extent to which they are vertically integrated.</li> </ol>

6.	1.3	For each of the relevant product and geographic market(s) identified in 1.1 and 1.2, give details (where applicable) of, <ul style="list-style-type: none"> <li>• the direction and extent of trade within Singapore and/or between Singapore and abroad;</li> </ul>	1a to c	For each of the affected products or services identified above, <ol style="list-style-type: none"> <li>a. give a brief description of the characteristics and intended use;</li> <li>b. state where it is produced;</li> <li>c. state to which customer group, it is supplied;</li> </ol>
7.	1.3	For each of the relevant product and geographic market(s) identified in 1.1 and 1.2, give details (where applicable) of, <ul style="list-style-type: none"> <li>• the prevailing methods of distributing goods and services, including the extent of the involvement of undertakings which are not party to the agreement or conduct which is the subject of the application (i.e. third parties), and their significance;</li> <li>• the prevailing service networks (for example for repair and maintenance), including the extent to which these services are provided by third parties;</li> </ul>	1f to h	For each of the affected products or services identified above, <ol style="list-style-type: none"> <li>f. provide details of: <ol style="list-style-type: none"> <li>i. how far customers are willing to travel to purchase the affected products or services (for example, locally, nationally, regionally);</li> <li>ii. how far suppliers are willing to supply the affected products or services (for example, locally, nationally, regionally);</li> </ol> </li> <li>g. provide details of the time, cost and resources required to move to a different part of the supply chain, for example, a distributor moving to retail or manufacturer moving to retail activities; and</li> <li>h. describe any differences in supplying different types of customers.</li> </ol>
8.	1.3	For each of the relevant product and geographic market(s) identified in 1.1 and 1.2, give details (where applicable) of, <ul style="list-style-type: none"> <li>• the significance of customer preferences, in terms of brand loyalty, product differentiation and the provision of a full range of products;</li> <li>• the categories and relative strengths of different types of customer, including private and public sector purchasers; and</li> <li>• the extent to which customers have long-term relationships with suppliers (e.g.</li> </ul>	12b	With specific reference to Singapore, for each of the relevant markets identified in question 8 of Form 1 Part 2 <ol style="list-style-type: none"> <li>b. To what extent, and why, would each party to the agreement or conduct (and if applicable, the parties to the agreement as a collective entity) be constrained by the conduct of buyers following the implementation of the agreement or conduct.</li> </ol>

		length of contracts, evidence of switching, etc.)		
9.	1.4	For each of the parties to the agreement or conduct which is the subject of the application, provide a list of all undertakings belonging to the same group (within the meaning of 8.1 in Form 1) which are active in the relevant product market(s) identified in 1.1, and those active in markets neighbouring the relevant product market(s) - that is, active in products and/or services which are regarded by the consumer as imperfect and partial substitutes for those products and/or included in the relevant product market(s) as defined in 1.1. Such undertakings must be identified even if they sell the product or service in question in geographic areas other than those in which the parties to the agreement or conduct which is the subject of the application operate. Please list the name, place of incorporation, exact product manufactured and the geographic scope of operation of each member of the group	4	Please identify the undertakings belonging to the same group (within the meaning of question 10 in Form 1 Part 2) as the parties to the agreement or conduct which are active in the relevant product market(s) identified in question 8 in Form 1 Part 2 and those active in products and/or services which are regarded as imperfect and partial substitutes for those products. Please provide the name, place of incorporation, exact product manufactured and the geographic scope of operation of each member of the group.
10.	2.1	Please provide the following information in respect of each of the previous three calendar or financial years, as available: <ul style="list-style-type: none"> <li>the Applicant(s)'s best estimates of the market shares of each party to the agreement or conduct which is the subject of the application, in the goods or services in the relevant product market(s) on the relevant geographic market(s), as identified in 1.1 and 1.2 ;</li> </ul>	2b and 3	<p>2. For each of the relevant product and geographic market(s) identified in question 8 in Form 1 Part 2, please provide the following data for the last three years:</p> <p>...</p> <p>b. Market share estimates (value and volume) for each of the party(and any affiliated or connected undertaking) to the agreement and/or conduct;</p> <p>3. If geographic market identified in question 8(b) of Form 1 Part 2 is wider than Singapore, please provide the following data for the last three years in Singapore:</p> <p>a. An estimate of the total value and volume of goods or services; and</p> <p>b. Market share estimates (value and volume) for each of the parties to the agreement or conduct and their competitors.</p>

				For (a-b), please explain any significant year-on-year variations.
11.	2.1	<ul style="list-style-type: none"> <li>identify the five largest competitors of each party to the agreement or conduct which is the subject of the application in the relevant product and geographic market(s), and give the Applicant(s)'s best estimates of their market shares in the goods or services in the relevant product and geographic market(s); provide each competitor's name, address, telephone and fax numbers, and, where possible, a contact name;</li> </ul>	10 and 11	<p>10. With specific reference to Singapore, for each of the relevant markets identified in question 8 of Form 1 Part 2:</p> <ol style="list-style-type: none"> <li>Identify the five largest competitors of each party to the agreement or conduct which is the subject of the application, providing each competitor's name, address, telephone and fax numbers, and, where possible, a contact name;</li> <li>For the competitors identified in question 10, give the best estimates of their market shares in the goods or services;</li> <li>Describe the nature of competition (for example, do firms compete on price quality, innovation, tender process);</li> <li>Describe the cost and the time it takes for a customer to switch between suppliers;</li> <li>Describe and name any local or overseas firms that are not currently providing goods or services in Singapore, but which could do so relatively quickly on a material scale;</li> <li>Describe the ability of actual or potential competitors to expand or utilise existing productive capacity; and any other material factors;</li> <li>Provide details of any shareholding, agreement, or joint ventures with existing competitors that may affect Singapore; and</li> <li>For the competitors identified in question 10, please provide the best estimates of their market shares in the goods or services</li> </ol> <p>11. For bidding markets only, in respect of the relevant market(s), give details:</p> <ol style="list-style-type: none"> <li>Of any bids made by each party to the agreement in the last five years;</li> <li>The outcomes of those bids (for example, whether</li> </ol>

				the bids were won or lost) and the reasons why, if known).
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12.	2.1	<ul style="list-style-type: none"> <li>identify the five main customers of each party to the agreement or conduct which is the subject of the application, in the relevant product and geographic market(s), giving the customer's name, address, telephone and fax numbers, and, where possible, a contact name; and</li> </ul>	12a	<p>With specific reference to Singapore, for each of the relevant markets identified in question 8 of Form 1 Part 2:</p> <p>a. Identify the five main customers of each party to the agreement or conduct which is the subject of the application, in the relevant product and geographic market(s), giving the customer's name, address, telephone and fax numbers, and, where possible, a contact name.</p>
13.	2.1	<ul style="list-style-type: none"> <li>details of each party to the agreement or conduct's interests in, and agreements with, any other undertakings competing in the relevant product and geographic market(s), together with the Applicant(s)'s best estimates of those other undertakings' market shares in the goods or services in the relevant product and geographic market(s), if known</li> </ul>	10g and h	<p>With specific reference to Singapore, for each of the relevant markets identified in question 8 of Form 1 Part 2:</p> <p>...</p> <p>g. Provide details of any shareholding, agreement, or joint ventures with existing competitors that may affect Singapore; and</p> <p>h. For the competitors identified in question 10g, please provide the best estimates of their market shares in the goods or services.</p>
14.	2.1	Information requested in this section must be provided for the group to which each party to the agreement or conduct which is the subject of the application belongs (within the meaning of 1.8 in Form 1) and not in relation to the individual undertakings which are party to the agreement or conduct which is the subject of the application		Removed entirely.
15.	2.1	Justification for the figures provided in response to the above must be given. Thus, for each answer to market shares in 2.1, total market value or volume must be stated, together with the sales or turnover of each of the undertakings in question. The source or sources of the information should also be given and one copy should be provided of any document, where available, from which information has been taken	16 and 17	<p>Please ensure that the Applicant(s) has attached the following documents (where relevant) to the application:</p> <p>16. All relevant documents to support the claims made in this Form 2.</p> <p>17. Source or sources of the information should also be given and one copy should be provided of any document, where available, from which information has been taken.</p>

16.	3.1	<p>For each of the relevant product and geographic market(s) identified in 1.1 and 1.2, describe:</p> <ul style="list-style-type: none"> <li>• the factors influencing entry in product terms into the relevant product market(s); that is, the barriers which exist to prevent undertakings not presently manufacturing or importing goods or providing services within the relevant product market(s) from entering the market(s), taking account of, in particular but not exclusively, the extent to which: <ul style="list-style-type: none"> <li>▪ entry is influenced by the requirements of government authorisation or standard-setting, in any form, and any legal or regulatory controls on entry to the market(s);</li> <li>▪ entry is influenced by the availability of raw materials;</li> <li>▪ entry is influenced by the length of contracts between an undertaking and its suppliers and customers; and</li> <li>▪ research and development and licensing patents, know-how and other intellectual property rights are important;</li> </ul> </li> <li>...</li> <li>• the factors influencing entry in geographic terms into the relevant geographic market(s); that is, the barriers which exist to prevent undertakings already manufacturing and/or marketing goods or providing services within the relevant product market(s) outside the relevant geographic market(s) from extending sales into the relevant geographic market(s), taking account of, in particular but not exclusively, the importance of: <ul style="list-style-type: none"> <li>▪ trade barriers imposed by law;</li> <li>▪ local specifications or technical requirements;</li> <li>▪ procurement policies;</li> </ul> </li> </ul>	7	<p>With specific reference to Singapore, provide details of any other factors affecting entry, for example, planning restraints, technology, R&amp;D requirements, regulatory barriers, import restrictions (tariffs, licensing, quarantine), IP rights, availability of raw materials, length of contracts, etc.</p>
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		<ul style="list-style-type: none"><li>▪ the existence of adequate and available local distribution and retailing facilities;</li><li>▪ transport costs; and</li><li>▪ strong consumer preference for local brands or products.</li></ul>		
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17.	3.1 to 3.3	<p>3.1</p> <ul style="list-style-type: none"> <li>• the cost of establishing or acquiring necessary facilities in Singapore</li> </ul> <p>3.2. Estimate the amount of time required for entry into the relevant product and geographic market(s), taking account of the individual barriers to entry referred to in the answer to 3.1.</p> <p>3.3. State whether any new undertakings have entered the relevant product market(s) in geographic areas where the parties to the agreement or conduct which is the subject of the application sell, during the last three years or if any undertaking has announced its intention to enter the market in the near future. Identify these undertakings by full name, address (by registered office, where appropriate, and principal place of business, if different), telephone and fax numbers and, where possible, a contact name. Please give the Applicant(s)'s best estimates of the market shares of each such undertaking in the goods or services in the relevant product and geographic market(s).</p>	5, 6, 8 and 9	<p>5. For each of the relevant product and geographic market(s) identified in question 8 of Form 1 Part 2, give an estimate of the capital expenditure and time required to enter the relevant market(s) identified on a scale necessary to gain a five per cent market share, both as a new entrant, and as a company that already has the necessary technology and expertise, and estimate to what extent this cost is recoverable should the firm decide to exit the market.</p> <p>6. Give an estimate of the scale of annual expenditure on advertising/promotion relative to sales required to achieve a market share of five percent.</p> <p>8. Give details of instances of market entry and exit in the past five years.</p> <p>9. Identify any companies that would be in a position to enter the relevant market(s) identified in the response to question 8 of Form 1 Part 2 in a manner that would be sufficiently timely and likely and of such scope as to adequately constrain the parties to the agreement or conduct.</p>
18.	-	-	15	<p><i>Net Economic Benefits</i></p> <p>15. If the agreement or conduct has net economic benefits that would not be achieved except for the agreement:</p> <p>a. Describe how the agreement or conduct contributes to improving production or distribution; or promotes technical or economic progress. In addition, please explain:</p> <ol style="list-style-type: none"> <li>i. How the claimed efficiencies are achieved;</li> <li>ii. A direct causal link between the agreement and the claimed efficiencies; and</li> <li>iii. The value of the claimed efficiencies and how it outweighs the anti-competitive effects of the agreement.</li> </ol>

				<p>b. Explain whether the agreement or conduct, and the individual restrictions of the agreement or conduct are indispensable to attaining the efficiencies described above in paragraph 15a. In addition, please explain:</p> <p>i. If there are other means of achieving the claimed efficiencies;</p> <p>ii. If there are economically practical and less restrictive means of achieving the claimed efficiencies than the agreement/conduct notified; and</p> <p>iii. If more efficiencies are produced with the agreement/conduct notified in place than its absence.</p>
19.	-	-	18	Where documents submitted are not in the English language, they should be accompanied by a translation certified by a court interpreter or a translation verified by the affidavit of a qualified translator.
20.	Part 2A "Declaration"	Name(s) (in block capitals): Designation(s): Date:	Part 2A "Declaration"	Name(s) as in NRIC or Passport (in block capitals): Company Name and Designation(s): Date: